



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,858	12/10/1999	JAMIN PANDANA	64100/111	9370

7590 02/11/2003

MARION P METELSKI ESQ
AMSTER ROTHSTEIN & EBENSTEIN
90 PARK AVENUE
NEW YORK, NY 10016

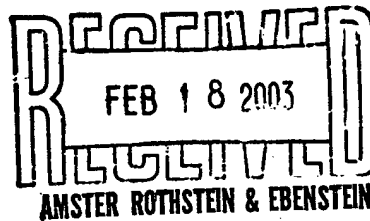
EXAMINER

WU, XIAO MIN

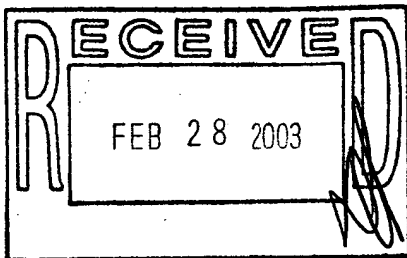
ART UNIT	PAPER NUMBER
----------	--------------

2674

DATE MAILED: 02/11/2003



Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.
09/458,858

Applicant(s)
PANDANA

Examiner
Xiao Wu

Art Unit
2674



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 19, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2674

1. This office action is in response to the Appeal Brief filed 12/19/2002. The rejection made in the previous office action is withdrawn. A new office action on the merits is provided as follows.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2 and 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506).

As to claims 1, 7 and 12, Poisner discloses an input device for a computer system, comprising: a keyboard (34, Fig. 1) connecting to a function controller (32, Fig. 1) for providing output signals for use in the computer system in accordance with a Universal Serial Bus technique; and a pointing device (36, Fig. 1) coupled to the function controller, the keyboard and the pointing device sharing the function controller. It is noted that Poisner does not specifically disclose that the keyboard **having** a function controller or the function controller is the only controller **in said** keyboard. However, Poisner discloses that in one embodiment, with exception of USB keyboard 34 and USB pointing device 36, all other elements 12-30 are disposed on a motherboard (not shown), i.e. either an integral part of the motherboard, surface mounted to the motherboard, or interconnected to the motherboard through sockets or connectors (col. 3, lines 9-15). Clearly, Poisner suggests that the keyboard controller is not disposed on a motherboard or

Art Unit: 2674

inside of the PC and it could be outside of the PC. Poisner further suggest that the present invention may be practiced on computer system with some of the enumerated elements packaged/interconnected differently, without some of the enumerated elements or with other additional elements (col. 4, lines 9-15). Thus, It would have been obvious to one of ordinary skill in the art to have integrated the keyboard controller into the keyboard since Poisner suggests that the keyboard controller could be outside of the PC and with some of the enumerated elements packaged/interconnected differently.

As to claim 2, Poisner discloses the pointing device is hardwired to the function controller.

As to claims 6, 10, 13, Poisner discloses that the pointing device is a dumb.

As to claim 8, Poisner discloses that the keyboard is recognized by the computer system as a USB function.

As to claim 9, Poisner discloses that the function controller (32) is the only controller in the keyboard device.

As to claim 11, Poisner discloses that the keyboard and mouse are recognized by the computer system as a composite USB device.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506) in view of Brendzel et al. (US Patent No. 5,706,031).

As to claims 3-5, it is noted that Poisner does not disclose that the pointing device is a wireless device. Brendzel is cited to teach a wireless pointing device using either infrared or radio frequency for communication. It would have been obvious to one of ordinary skill in the art to

Art Unit: 2674

have modified Poisner with the features of the wireless communication as taught by Brendzel, so as to increase the freedom of operating the inputting device.

5. Claims 1-2 and 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506) in view of Duncan et al. (US Patent No. 5,847,695).

Note the discussion of Poisner above. Poisner does not clearly state that the keyboard controller is located in the keyboard. However, Duncan provides an evidence that a USB keyboard controller can be located inside an input device such as a mouse/keypad device rather than the computer (col. 3, lines 19-30). It would have been obvious to one of ordinary skill in the art to have integrated the keyboard controller into the keyboard device because it is an alternative way to put the keyboard controller inside of the computer or inside of the keyboard.

As to claim 2, Poisner discloses the pointing device is hardwired to the function controller.

As to claims 6, 10, 13, Poisner discloses that the pointing device is a dumb.

As to claim 8, Poisner discloses that the keyboard is recognized by the computer system as a USB function.

As to claim 9, Poisner discloses that the function controller (32) is the only controller in the keyboard device.

As to claim 11, Poisner discloses that the keyboard and mouse are recognized by the computer system as a composite USB device.

Art Unit: 2674

6. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506) in view of Duncan et al. (US Patent No. 5,847,695) as applied to claim 1 above, and further in view of Brendzel et al. (US Patent No. 5,706,031).

As to claims 3-5, it is noted that Poisner and Duncan do not disclose that the pointing device is a wireless device. Brendzel is cited to teach a wireless pointing device using either infrared or radio frequency for communication. It would have been obvious to one of ordinary skill in the art to have modified Poisner and Duncan with the features of the wireless communication as taught by Brendzel, so as to increase the freedom of operating the inputting device.

7. Applicant's arguments in the Appeal Brief with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Art Unit: 2674

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:


(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377

xw

February 3, 2003


XIAO WU
PRIMARY EXAMINER
ART UNIT 2674